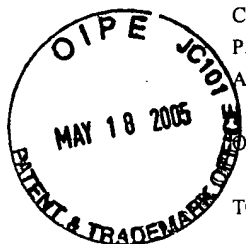


DAE  
JW

I hereby certify that this correspondence is being deposited with the United States  
Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PATENT  
Docket No.: 020681-001610



On 5-16-05

TOWNSEND and TOWNSEND and CREW LLP

By: Linda Shaffer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Hans Ernst Jan Hofland *et al.*

Application No.: 10/799,922

Filed: March 12, 2004

For: LIPOSOMAL FORMULATIONS  
AND METHODS OF USE

Examiner:

Art Unit: 1615

REQUEST FOR RECONSIDERATION  
OF PETITION UNDER 37 CFR 1.47(a)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In connection with the Decision Refusing Status Under 37 CFR 1.47(a) dated March 16, 2005, Applicants' attorney sent an email to Hans Hofland on May 11, 2005 (copy attached) again sending him a copy of the patent application as filed in the U.S. Patent and Trademark Office, and requesting signature of the declaration and assignment documents requested in previous correspondence. Hans Hofland returned to us the requested executed documents by email on May 12, 2005.

Applicants are, therefore, enclosing the executed Declaration of Hans Hofland. This, along with the Declaration executed by Lisa Rohan that was mailed to the

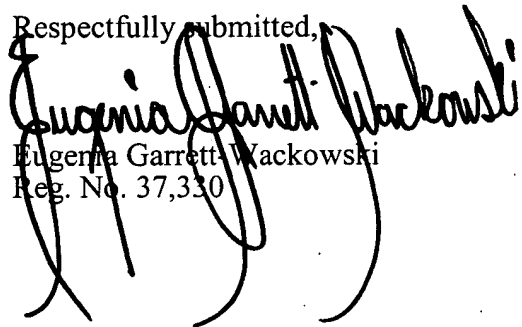
Petition  
Application No.: 10/799,922  
Page 2

PATENT

U.S. Patent and Trademark Office on January 3, 2005, should complete the formal filing requirements.

If the Examiner believes a telephone conference would expedite handling of this matter, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

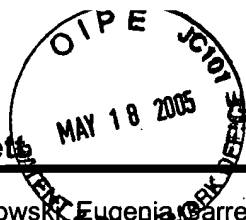
A handwritten signature in black ink, appearing to read "Eugenia Garrett Wackowski". The signature is fluid and cursive, with the first and last names being more prominent.

Eugenia Garrett Wackowski  
Reg. No. 37,330

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Attachments  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
EGW:lls

60465788 v1

Wackowski, Eugenia Garrett



**From:** Wackowski, Eugenia Garrett  
**Sent:** Wednesday, May 11, 2005 3:32 PM  
**To:** 'Hans Hofland'; 'hofland@comcast.com'; 'hhofland@connetics.com'  
**Cc:** 'j.kinzell@att.net'; 'John Kinzell'; Peterson, R. Gwen  
**Subject:** U.S. Patent Application for "Liposomal Formulations and Methods of Use"

**Importance:** High



appln.pdf (1 MB)



agr.pdf (437 KB)



dec.pdf (41 KB)



assign.pdf (61 KB)

Dear Hans:

We hope this message finds you well! Attached for your review and execution are (1) a copy of U.S. Patent Application No. 10/799,922 directed to Liposomal Formulations and Methods of Use, which was filed in the U.S.P.T.O. on March 12, 2004 and which names you and Lisa Rohan as co-inventors; (2) a Declaration to be executed by you; (3) an Assignment of Patent Application to be executed by you; and (4) an Optime Therapeutics, Inc. Employee Proprietary Information and Invention Agreement executed by you on March 19, 2002, Section 2.3 of which obligates you to assign your rights in the inventions disclosed and claimed in U.S. Patent Application No. 10/799,922 to Optime Therapeutics, Inc.

We once again ask that you execute both the Declaration and Assignment documents and return them to us by e-mail or facsimile on or before May 13, 2005 so that we may file them in the U.S.P.T.O. As you are aware, we have previously submitted the documents of Lisa Rohan and Magee-Womans Health Corporation so all that is outstanding are the documents from you. If we do not receive the executed documents from you by May 13, 2005, we will have no alternative but to presume you are unwilling to sign them and proceed accordingly.

If you have any questions, please do not hesitate to contact us. We thank you for your prompt assistance with this matter.

Regards,

Eugenia

Eugenia Garrett-Wackowski  
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Townsend and Townsend and Crew LLP  
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Eugenia Garrett-Wackowski  
Attorney-At-Law

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